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Mumbai's quiet histories: Critical intersections of the urban poor, historical struggles, and heritage spaces

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Abstract

Informal and improvised practices of occupation and settlement have been known in the Mumbai region since before the birth of the city. These practices have since evolved into a tactic of the poor as they assert a "right to the city" among various structures of inequality and domination produced by the state and civil society. Heritage preservation, as it is practiced in Mumbai, participates in such state work and its failures render it as an object and instrument of class struggle. Within this context, heritage regimes agitate certain wounds of misrecognition born by urban marginals and have produced assemblages, such as the Jogeshwari Caves, that assert a demand for their redress. Long pursued practices of "quiet encroachment" have become a generative urban force in Mumbai, but their histories remain understudied and unarticulated. This paper seeks to bring historical attention to these struggles and suggests that archeology can further attend to this project of redress.

Keywords

Urban heritage, informal settlements, slums, right to the city, quiet encroachment, housing rights, political archeology, Mumbai

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Indeed for the most part, the working classes have remained silent in Indian history.

—Rajnarayan Chandavarkar, 2009, *From neighborhood to nation*, pg. 123

[The discourse of perpetual war] is interested in defining and discovering, beneath the forms of justice that have been instituted, the order that has been imposed, the forgotten past of real struggles, actual victories, and defeats which may have been disguised but which remain profoundly inscribed.

—Michel Foucault, 2003, *Society must be defended*, 21 January 1976

Introduction

Since 2005, the Archaeological Survey of India (ASI), the body in charge of India's ancient sites and monuments, has stepped up its efforts to protect and conserve some of Mumbai's ancient and historical heritage; these include rock cut temples and monasteries from the classical and medieval periods and colonial forts. This, in practical terms, is a project of reclamation, not of the land from the sea, but of the city's material heritage from the "quiet encroachment of the ordinary" (Bayat, 2010)—that is, urban marginals who have appropriated and re-purposed sites laid neglected by the state for more than a century. Land is a central protagonist Mumbai's biography, as its possession remains the lynchpin for urban survival and success. In the restless involutions of reclamation and encroachment, the halting logic of heritage preservation offers a relatively new tactic with the *potential* to interrupt rampant commercial exploitation, self-development, and modernization.

However, such a logic, especially when anchored to materials and places, is also by its very nature exclusionary; as a form of enclosure it valorizes some material pasts and futures over others (see Hoelscher, 2006; Weiss, 2007). These others include the more spectral urban histories and materialities of the urban poor and marginalized, whose subjugated practices and struggles have been buried and disqualified from history, no less than culture, but persist within the social body in some masked form (Foucault, 2003: 7–8). Indian heritage policy, like elsewhere, not only aspires to the United Nations Educationals, Scientific and Educational Organization (UNESCO) ideal of preservation that stipulates the clear demarcation and purification of space (removal of modern human structures and activities from sites and their "buffer zones"), but also implicitly embraces its global civilizing project: heritage as meant to salvage selective examples of "culture" from an increasingly afflicted and fragmented "civilization" (see Shepherd, nd). Even while developmental tropes such as "participatory planning," "sustainable development," and "capacity building" have entered into the heritage lexicon, these strategies—when used to engage local, often impoverished or disenfranchised, stakeholders—barter access to neoliberal pathways and resources in exchange for the right to enclose the past in such a way that yet again effaces fundamental

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histories of struggle. The rhetoric of salvage underpinning heritage preservation thus articulates certain practices, attitudes, and communities as inimical to culture. If the World Heritage model salvages valued monuments, sites, and landscapes from imminent destruction and loss, then it renders heritage's encroachers, squatters, and reusers as the failures, disasters, and discards of society. From this perspective, the only options are social rehabilitation or removal.

But the story of Mumbai and its monumental rise cannot so easily disavow forms of improvisation, mobility, and incremental encroachment in its development, as these very practices articulate with histories of the islands' indigenous inhabitants and "floating" communities, no less than the origins of industrial capitalism in India. Significantly, the ongoing misrecognition of such groups and practices presents a formidable challenge to modern governance as much as it did to colonial rule. The current sociopolitical field emerging around the rehabilitation of Mumbai's ancient and historical sites and monuments exposes and agitates a wound that can be described as acutely historical: a legacy of neglect—not of the city's ancient and historical monuments—but of its urban marginals and their persistent histories of struggle. Current heritage values in India are a direct carryover from British colonial attitudes and values, which prioritize the care for historic buildings and monuments (Chainani, 2007; Guha-Thakurta, 2004). This focus on material preservation does not appear to be a guiding or pervasive cultural value in many Indian communities and religions, or for the majority of urban dwellers. Rather, this recent attention to heritage by government officials and elites echoes the penetration of colonial power into the subcontinent in the way that it disrupts local patterns of everyday life and introduces alien(ating) systems of governance (Chaturvedi, 2007: 37). Just as the colonial government actively sought to discipline and put down "unruly" and rebellious "tribes" who pursued itinerant lifestyles and practices that ran counter to their ideals of settled, clearly demarcated, and orderly civic life, the current adopted model of heritage preservation effectively seeks to discipline or put down restive practices that do not conform to the middle and professional classes visions of civil society. While all sectors and classes take part in informal and illicit practices to some degree—including the unauthorized or brute appropriation of land and property (see Baviskar and Sundar, 2008; Ghertner, 2011)—the prevailing public sentiment is that illegality, improvisation, informality, and opportunism are characteristics of the urban poor: rural–urban migrants, *adavasis* ("original inhabitants"), the underemployed, the under-housed, street hawkers, and so on. As such, they remain an anathema both to the Indian past and future.

Such practices, however disavowed by urban history and culture proper, are in fact generative of both. Heritage monuments in suburban Mumbai that have now housed improvised settlements and communities for nearly half a century, materialize the fraught relationship the city sustains with this history. Below, I use current heritage revitalization initiatives in Mumbai as a lens for examining how certain suppressed yet foundational histories of migrant settlement, labor, and housing struggles haunt current structures of domination, inequality, and violence.

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Critically reframing the discursive constructions of "encroachment" and the "urban poor" that commonly characterize Mumbai's improvisational and extra-legal forms of urbanism, I argue that encroachment, in its "quiet" and "ordinary" incarnations, in fact, constitutes a formative genealogy of the city. Provisional forms of settlement have mobilized lifelong struggles of the poor and vulnerable to acquire work, shelter, and improved, more secure circumstances. The history of the "settler[1] city" thus articulates a radical history of struggle that predates, and in substantial ways, makes possible, the genesis of the formal city. Alongside recently revitalized heritage claims in Mumbai, restless urban forms and socialities assert a demand for recognition. Such a demand rests on a certain *historical* "right to the city" (Lefebvre, 1968) that remains profoundly unexamined within the historical disciplines. Given the current orientation of Mumbai heritage programs toward future interests and middle-class aspirations, I am skeptical that heritage can adequately attend to these suppressed and buried histories of exploitation, violence, and alienation experienced by the vulnerable, under-housed settlers of Mumbai. Instead, I argue that such a task may be more appropriate for archeology (also drawing upon historical and ethnographic approaches), as a discipline that can, for better or worse, produce a different kind of historical subject. In its incremental, material praxis fixed on creating a record of the past, archeology is uniquely poised to lend its resources and authority toward producing (however contingently and incompletely) an archive of historically ill-defined groups of people, their devalued sites, and misrecognized histories.

From the Seven Isles to Mumbai: A history of struggle and its effacement

If heritage constitutes a field of struggle, the battle in Mumbai begins with land. Before Bombay, an archipelago of seven marshy islands formed a natural harbor on the western coast of India (Figure 1). Archeological evidence points to inhabitation of these islands since the Stone Age, and ancient sources reveal the involvement of this region, known as Heptanesia to the Greeks, in trade networks with Egypt and Persia by 1000 BC (Da Cunha, 1993: 117). The first known inhabitants of the isles were koli fishing people, and their villages or koliwadas, often mistaken as slums, remain dispersed throughout Mumbai today. In the third century BC, the islands came under the rule of the Maurya Empire. During this time, Emperor Ashoka of Magadha made the islands a center of Buddhist patronage and began a tradition of building rock cut temples and monasteries along major trade routes. After the fall of this empire in 185 BC, a string of indigenous dynasties[2] continued this tradition. From the ninth to 13th centuries, the Silhara dynasty added to this landscape by building temples and water tanks. But it was the mid-13th century, when Raja Bhimdev II made Mahim the capital of his kingdom, which ushered in the development of the greater Bombay region. He allegedly brought with him the first waves of immigrants[3] to settle among the kolis, and with them coconut trees, gardens, groves, houses, and plantations that transformed the landscape

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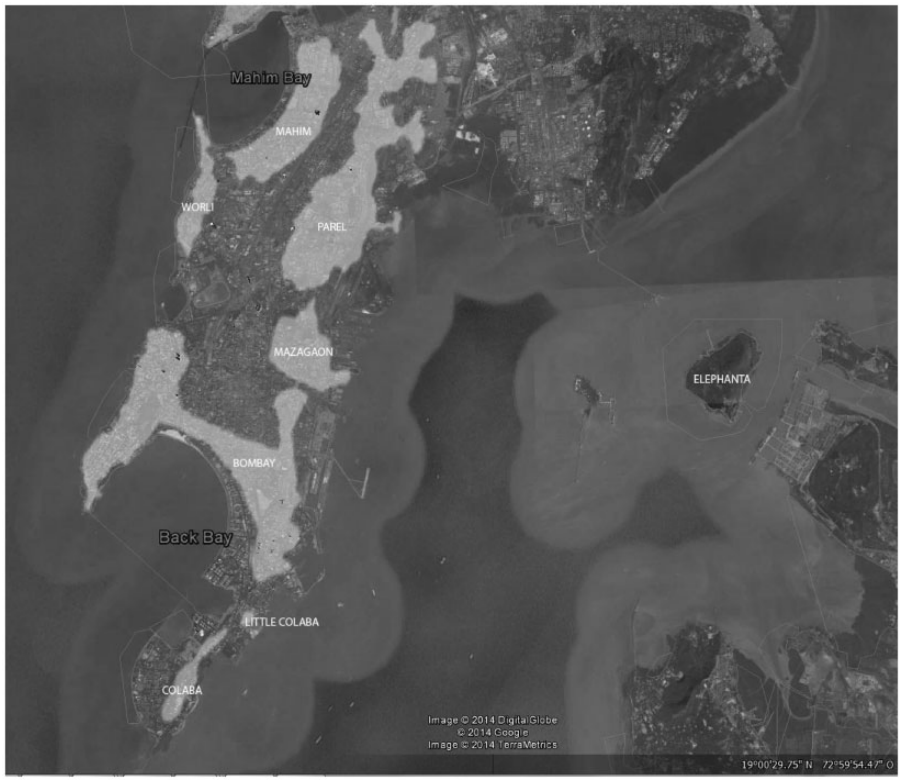

Figure 1. Overlay of the seven original islands on Mumbai in 2014. Image generated from Google Earth.

(Narayan, 2009: 63–64). Then came the competing Muslim rulers of the Gujarat and Bahmani Sultanates (1348–1534), the Portuguese who came to proselytize (1534–1661), and the British who came to first trade and then to rule (1661–1947). These embattled, enmeshed, and accumulated histories have marked the landscape with rock cut caves, temples, mosques, churches, water tanks, forts, and urban forms that now make up the more monumental aspects of the urban landscape of Mumbai.

Bombay, however, was not an indigenous city. The single landmass once composed of seven islands traces its *formal* urban origins to the mid-17th century, when the British East India Company acquired the strategically situated islands in order to facilitate trade and commerce with the subcontinent. From the outset, immigrants were key to the city's growth and prosperity, and the Company encouraged immigration to the town from near and far. Sir George Oxenden, the first company governor of Bombay, aimed at encouraging trade in all directions and people of all classes to settle on the island (Edwardes, 1902). This campaign appears to have been successful as the population rose from 10,000 in 1661 to 60,000 by 1675 (David, 1973: 410). The third company governor, Gerald Aungier, took more

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formal steps to encourage mercantile communities to settle in Bombay by assuring religious freedom, liberty of trade, and freedom to build in the developing town. Such freedoms made the city attractive not only to merchants and traders, but also those seeking freedom from religious persecution; refugees, the blind, destitute, aged, diseased, and crippled traveled hundreds of miles to reach the city (Narayan, 2009: 60).

The urban form of Bombay, thus, unfolded not from an original town plan, but from the extended negotiation between a shifting colonial project and persistent waves of immigrants. As Dwivedi and Mehrotra describe, ''Bombay was not planned. Instead, it came into being with every step of its growth being impulsive and incremental—expressing in its form the idea of the city as a field of human enterprise'' (2001: 11). By the mid-18th century, the Company's policy turned from trade and administration to conquest and imperialism, a milestone that ushered in an intensified colonial project of land reclamation. In 1782, William Hornby initiated the Hornby Vellard engineering project that would unite the seven islands into a single landmass (by 1838). It was at this point when Bombay as a *modern* city took shape under British rule. The spatial order laid out by the British imagined the city according to the ideals of European civilization and civic consciousness. Bombay's residents were expected to function under the authority of the colonial administration and become disciplined urban citizens that earned their livelihoods in assorted capitalist institutions, embraced British courts, education, medical treatment, and adopted new modes of transportation and uses of space (Dwivedi and Mehrotra, 2001; Prakash, 2008). Such modernization came at distinct cost. Not simply the reclamation of land from the sea, this disciplining project, which employed acts of human artifice to bend nature to culture, also sought mastery over many native practices, landscapes, histories, and religious cartographies regarded as ''encroaching'' upon the rights to land and authority of the governing body.

While this colonial ethic saw its ultimate realization in the city that issued from reclaimed foundations, the tensions between different notions of property, occupation, and encroachment date back to the earliest days of colonization. The practice of settling on any vacant spot of land—or ''encroaching''—is known at least since the first half of the 18th century when Bombay's population saw its first expansive growth. Encroachment was not simply tolerated but encouraged by the British: a 1755 court order instructed, ''In particular we direct that, so long as it incommodes not the defense of the place, you suffer newcomers to build houses wherever it shall be convenient to them'' (Edwardes, 1902: 158–164). Such a position was unsustainable, as the government could not long tolerate incursions on company land and would eventually attempt to do what the Portuguese would not dare: to transform the dizzying mosaic of land tenures (some dating as far back as early indigenous dynasties)—each carrying specific rights and obligations under customary law—into a uniform system of land administration based on private property (Dossal, 2010: xxx, 59).

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But the "rule of law" presiding over land tenure was more of an aspiration than a reality and did little to stem improvised settlements. The growing industrial city attracted increasing numbers of migrants to work in the mills and docks but had no infrastructure to house them. The cotton boom of the 1860s, which saw an influx of migrants who came for temporary employment, exposed the stark housing deficiencies of the city. Workers eked out accommodation in whatever space they could find, including streets and verandas. By 1911, Bombay's residents had reached 1 million, 80 percent of whom were born elsewhere (Sedgwick, 1922). Worker housing (chawls or tenements) built by the Bombay City Improvement Trust in cooperation with mill owners housed less than 10 percent of the total workers (Upadhyay, 1990: 93); the remainder had a range of deplorable living situations to choose from: private chawls (shoddy construction and high rent), mud huts, tin sheds, vacant buildings, or the street.

The city, renamed Mumbai in 1995, is now home to 12,479,608 people with 60 percent of the population living on just 8 percent of the city's land (Registrar General of India, 2011). This 8 percent includes the marginalized koliwadas, gaothans, zhoppadpattis, pavements, and squatter colonies of Mumbai. In a locale where land has always been scarce, reclamation and encroachment are not simply contemporary practices of exploitation but formative histories of the city. As Miriam Dossal observes, "land hunger, born out of a shortage of living, work, and recreation space in Bombay, is a vital thread which runs through Bombay's history... It surfaced almost from the day the British gained possession of the island" (2010: xxxiii).

Mumbai's illustrious "urban heritage," however, takes the form of built, colonial history. This result is perhaps not surprising given that the origins of the formal city are attributed to the British, as are social norms of upkeep and protection of ancient and historic built structures. In the 1970–80s, it was Shyam Chainani, Ashok Advani, and Cyrus Guzder, three Oxbridge educated Bombayites, who would return and initiate the heritage movement in Mumbai (Chainani, 2007: 23). After becoming increasingly troubled by the rapid and haphazard demolition of historic buildings, precincts, and natural habitats to make way for new high-rises and parking lots beginning in the 1960s, they formed the Save Bombay Committee in 1973, which would be instrumental in laying the groundwork for municipal legislation on heritage and environmental protection (Ibid: 24). When urban heritage legislation was finally adopted in 1991,[4] it articulated the heritage value of Bombay primarily in terms of European architectural traditions:

> The Gothic structures in French, Italian, Venitian and Victorian styles and adapted by Indian shilpkars to suit the climatic conditions have been recognized now world-wide as *giving Bombay the cachet of being the world's finest Victorian city*. No other city has in such a limited area, a concentration of 19th century neo-Gothic buildings of such distinction. Moreover, unlike the majority of world-war II ravaged European cities, Bombay can still take pride in its spectacular array of 1930s–1940s buildings in the 20th Century Art Deco style. (Government of Maharashtra Heritage Committee Report 1992, 1.3, emphasis added)

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So authorized heritage discourse, upon entry into Bombay, donned a British pedigree and preoccupation: urban heritage was built colonial heritage. Indigenous monuments such as rock cut caves constituted a different kind of heritage—world heritage, Indian heritage, Buddhist heritage, Hindu heritage, but decidedly not urban heritage. This narrow ''classical'' framing of heritage does a disservice to the history of Mumbai, foreclosing on more thoughtful considerations of the city's variety of built forms and their relationship to changing economic, political, and social experiences and modes of production. Central to such a project is the figure of encroachment, which brings together histories of migrant labor, housing rights, fishing villages, and informal industries and settlements.

Encroachment by any other name...

Encroachment in Mumbai is a way of life. In a city where lines and limits are indiscrete and subject to constant negotiation, encroachment is a necessary strategy and eventuality of city life. People, rivers, tides, vegetation, and wildlife are consistent players in this urban struggle. Tigers and tides invade human settlements, taking lives in dramatic but dispassionate acts; squatters and vegetation transform historic buildings into homes or ruins. But from a longer historical perspective, these kinds of encroachments are also reclamations, since what is now called Mumbai was once a land of mangroves, marshes, mudflats, forests, villages, and peripatetic dwellers. But not all encroachment is equal. This dynamic that has come to characterize the territorial politics of Mumbai is pervasive, capricious, and opportunistic; it cuts across and also hardens class, caste, socioeconomic, and public/private distinctions.

In most cases legality is determinate of whether an act is regarded as encroachment or something else, namely appropriation or reclamation. For instance, squatting and illegal land reclamation (e.g. the filling in of a river bed with construction materials) are considered encroachment, while the bespoke legal appropriation of agricultural land and saltpans (Parthasarathy, 2011), forestlands (Zérah, 2007), and slums (Baviskar, 2003; Bhan, 2009) by the government with/or real estate magnets has been called development, environmental protection, and urban rehabilitation, respectively. While predatory speculative regimes now dominate the political economy of the city, they remain perpetually ''bothered'' by long-standing practices that sustain a use-based relationship to the land; in addition to ''squatting'' these include fishing, foraging, salt panning, and small-scale dairying. Many of these forms, anchored to specific habitats, pre-date the city itself and are linked to the solidarities and livelihoods of indigenous and early settler groups, as well as newer in-migrants. These productivities that essentially re-commonize land are intricately integrated into local to global economies and commodity flows (Parthasarwarthy, 2011). And yet, such labor is increasingly framed as incongruous if not antithetical to urban development, modernization, civic life, and even environmentalism (Baviskar, 2003).

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It is not so much, then, the nature/culture binary that defines the political fault lines of encroachment in Mumbai. Instead, the moral imaginary of the urban/rural divide feeds public discourses of encroachment and also continues to homogenize and stigmatize the lower classes and castes as the "urban poor." Since colonial occupation, the urban poor largely have been seen as a distinct social segment: they share certain undesirable traits and practices that pose a threat to the social, moral, and political orders of the city (Gooptu, 2001: 3–4). In the colonial period, official perceptions of the urban poor translated a British Victorian construction of poverty onto urban India such that, "the urban casual poor or a residual underclass had come to be seen as the repository of a deviant culture needing moral and behavioral transformation, either by philanthropic persuasion or, if found necessary, by administrative fiat or state coercion" (Gooptu, 2001: 12). These views overlapped and intersected with those of Indian elites and politicians, who connected economic deprivation with social backwardness, integrally linking ideas of the urban poor with "backward" rural classes. Viewed as village folk uprooted from their natural rural habitats, the urban poor could never completely adapt to city life; as such, they would remain "incompletely urbanized" in the eyes of other urbanites, regardless of how long they have called the city their home (Hull, 2011: 760).

While this image of the urban poor would provide an ideological anchor for state reformist and improvement ideas directed toward the uplift of lower classes and castes in the early 20th century, it would inspire an ethic of self-responsibility akin to state and social abandonment of the working poor at the beginning of the next century. A judiciary, which instated certain landmark protections in the 1980s, would change its course and cast decisions essentially eroding certain fundamental rights of the vulnerable and under-housed (Bhan, 2009). Usha Ramanathan (2004: 11) argues that the term "encroachment" emerged in 1990s legal documents, marking a move to criminalize the poor, thereby weakening their claims to citizenship. By the 2000s, legal decisions adopted an escalated rhetoric against the "unscrupulous" poor in favor of "honest" landowning citizens and would move away from an ethic of state patrimony to one that increasingly emphasized self-government through market participation (Bhan, 2009) and worlding aspirations (Ghertner, 2011).

A moral shift toward "self-responsibilization" (Caldiera, 2000) has also emboldened the middle classes to reclaim *their city* though certain spatial cleansing techniques disguised as common goods, such as heritage preservation and "bourgeoisie" environmentalism" (Baviskar, 2003), which seek to achieve an ordered, safe, hygienic, unpolluted, green, and uncongested environment. Such projects have emerged as instruments of appropriation (the legal form of encroachment) and often exclude basic concerns of shelter, sanitation, water, and transport that significantly affect the lives of the poor and working classes. In this way, such middle-class mobilizations in Mumbai present new tactics in a long-standing campaign against the poor and under-housed, rendering them as agents of crime,

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disease and pollution, congestion, and disorder that must be removed from the urban ecology, even as they provide its essential substrate.

These negative images coalesce into modern tropes of the "slum dweller" and "encroacher." The multilayered misrecognition and homogenization of economic marginals, floating communities, urban villagers (many of whom no longer consider themselves to be poor) recalls Dipesh Chakrabarty's concept of a "historical wound" (Attwood et al., 2008), which develops the affective potential of misrecognition laid out by Charles Taylor: "misrecognition shows not just a lack of respect. It can inflict a grievous wound, saddling its victim with a crippling self-hatred. Due recognition is not just a courtesy we owe people. It is a vital human need" (1994: 26). In the case of Mumbai, one could argue that the victim, in fact, is the city itself. The constructs of poverty, backwardness, and ruralness projected onto an already disenfranchised segment of the social body constitutes a misrecognition twice over: first, the misrecognition of marginalized city dwellers propagates and calcifies inequity in dominant structures of urban recognition; second, these structures of recognition adopt external standards of modernization and progress that often disavow or belittle various local or indigenous cultural and social values. Such misrecognition constitutes a kind of "self-hatred" insofar as Mumbai aspires to a standard of urban progress and modernization that is largely defined by global, neoliberal ideals, therefore bypassing certain historical conditions and features of its own formation and development. In this way, the urban poor and marginalized, as well as practices of encroachment and development, can be grossly misread through these "urban fictions," rather than being fed through their own significant histories.

Encroachment is not a rural behavior nor is it a technique exclusive to the poor. Rather it locates an ongoing historical struggle, or rather, a kind of perpetual war. This war may seem to sustain ever-shifting allies, opponents, and objectives, but in reality conceals a sustained attack and defense of the hegemonic order and social relations of capitalism in its various iterations. As a practice of the poor and vulnerable, encroachment becomes a necessary strategy of self-development in arenas with gross structural inequalities and failed state delivery. Asef Bayat has termed this "quiet encroachment": "the silent, protracted, but pervasive advancement of the ordinary people on the propertied, powerful, or the public, in order to survive and improve their lives" (2010: 56). If development is an aspiration and pursuit that the poor and marginalized appropriate even while bearing the brunt of its brutality, then heritage is radically alienating, appearing only as a blunt instrument of a governing elite who is both nostalgic and aspirational for a model of culture and society that is more cosmopolitan than homegrown.

From historical wounds to heritage crises

> *"Wounds of misrecognition" invoke the past as the site of the original slight and as the site that calls for redress in the present.*
>
> —Attwood et al. (2008: 1)

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Historically, heritage discourse in its authorized form has often agitated rather than helped heal wounds of misrecognition. Exclusion, misrecognition, and contest are inevitable outcomes of normative practices of heritage that still remain tethered to a materialist, universalist ideology: the idea that certain enduring pasts can somehow transcend the weight of history and present-day contestations. An emerging field of "critical heritage studies" (Byrne, 2014; Harrison, 2013; Smith, 2012) has laid bare the problematic conceptual genealogies and relations of power that inform authorized heritage discourse, ideology, and practice. Notably, this turn seeks to bring the interests of the marginalized and excluded to the forefront of rebuilding heritage "from the ground up" (Smith, 2012: 535). Even affected communities that do not have a direct relationship to a past protected under a heritage construct are increasingly included in uplift programs that offer promises of sustainable tourism, participatory planning, and synergistic partnerships. But if heritage has become more effective at delivering broader access to better futures[5] (through access to housing, jobs, education, resources, infrastructure, etc.), it has done so at the expense of a thicker historical recognition of suppressed and disavowed pasts.

In Mumbai, heritage programs have neglected these "marginal" pasts at their own peril, as such histories, in fact, relate to the experience of a majority of urban dwellers. In its instrumentalization of elite histories and middle class aspirations, current heritage constructs are relentlessly challenged by a diverse mass public. The right to remain (Weinstein, 2014), embodied by those who would be dispossessed, has interrupted the capacity of heritage to act as an instrument of clearance and control, as encroachment is repeatedly cited as the biggest obstacle to heritage preservation within the city. In this way, Mumbai presents a case of heritage in crisis. This crisis is not that of neglected and deteriorating objects and monuments, but rather that which lays bare and challenges the structures of domination underwriting state-led heritage discourse and values. Jacob Schiff's discussion of crises is instructive here. Crises are productive in the way they call into question taken-for-granted rules that structure our relations to others, thus providing an occasion for overcoming misrecognition (Schiff, 2009: 23). For Bourdieu (1977: 169), this happens most forcefully when the dominated reject the definition of the real that is imposed upon them through logical structures (like heritage) reproducing the social structures (relations of domination) and lift the institutionalized censorships that it implies. At this juncture, classificatory schemes like heritage can become "the object and instrument of class struggle." Mumbai has not (yet) ascended to the heights of "spatial cleansing" (Herzfeld, 2006) seen in Delhi or elsewhere (Li and Song, 2009; Meskell, 2011; Shepherd, 2013). While various entangled factors and formations can be called upon to unpack this tactical failure related to bottom-up mobilizations (negotiating and instrumentalizing allegiances of caste, religion, community, and politics) and lateral elite contingencies (aligned public–corporate–judiciary interests) that cannot be dealt with adequately here, I suggest that what also significantly troubles the heritage project in Mumbai are long-standing practices of improvised settling, occupying, and appropriating that

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contest and confound rights to property or rights based on property ownership, and have been the basis of claims to urban residency and citizenship since the city's inception (also see Bhan, 2009: 141). Unlike the residents of Khotachiwadi (a heritage village in Girgaon, Mumbai) who appropriated the heritage construct in order to assert their right to remain, settlers occupying ancient and historic monuments present a counterclaim and obstruction to the heritage protection mandate.

In Mumbai, practices of encroaching and occupying constitute a radical urbanizing force, complicating the transformation of land into property, while embodying working class struggles for housing. The city's history of settlement articulates an exceedingly complicated notion of property, including claims based on customary rights, previous feudal systems, colonial interventions, and modern laws; as such, urban land and property has accumulated various coexisting claims that are not necessarily contradictory or conflicting (Shetty, 2007). This tenure system in combination with land scarcity complicated the structural mechanisms of the urban housing market that would later emerge. By the late 19th century, entrepreneurial landlords pursued strategies that increasingly worsened the living conditions of the working poor, a trend that would continue with developments in the housing market in the 1920s and 1930s. Rajnarayan Chandavarkar (1994: 183–188) has made a compelling argument for how volatile housing market conditions had the effect of pulling workers more firmly into the social organization of the neighborhood; in his final analysis, the informal networks of the neighborhood provided the working poor with a certain amount of security and power within what was essentially a restricted field of possibility.

This structure and sociality of neighborhoods has been central in the mobilization of populist housing rights movements in Mumbai. It is significant that Maharashtra appears to be the only state in India that has pursued a large-scale slum rehabilitation scheme, and this perhaps can only be explained by the city's unique history of settlement and housing. Through the colonial period, the city generally tolerated the proliferation of neighborhoods, broadly viewed as slums even as some grew out from villages that predated the city (Srivastava and Echanove, 2008). The plague epidemics of the 19th century prompted the city to make a systematic effort to improve slums and rehabilitate crowded living areas by forming the City Improvement Trust in 1898 (Kidambi, 2007: 71). After various trials with slum rehabilitation and clearance from the 1940s through the 1960s, the government passed the 1971 Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act. This legislation marked the first time that the poor and under-housed in Mumbai could lay claim to some legal protections. Notably, the ''improvement'' part of this act marked a significant victory for the local populist housing rights movement (see Anand and Rademacher, 2011: 1756–1757). The protections conveyed by this act stipulated that no person or group could be evicted from an unauthorized or illegal structure can if they could prove legal documentation[6] of continuous occupancy since 1 January 1995. This ''cut-off date'' has provided a touchstone[7] for various slum rehabilitation schemes, the

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latest iteration of which (under the Slum Rehabilitation Authority) allows for more active input from the residents themselves (see Mukhija, 2003; O'Hare et al., 1998).

The quiet encroachment that underwrites housing struggles for urban marginals poses a challenge to heritage protection in Mumbai, as it implicitly contests and undermine state regimes that advance the material interests of upper and middle classes, developers, corporations, and transnational finance by rechanneling public resources and evicting the urban poor (Doshi, 2013: 844). Ordinary encroachment practices have not only persisted over centuries, but also converge with histories of labor and housing rights specific to Bombay, thus inscribing these struggles in its physical landscape, legal structures, and social history. In this urban arena, heritage appears as a new interloper, often aligned with the interests of the governing elite, and as such has been slow to gain footing against formidable histories of settlers and their struggles for urban inclusion. The "encroached" state of heritage sites in Mumbai reveals how certain silences in the historical record sometimes refuse to remain so when the elite sources and caretakers of history become overly beholden to state interests and global discourses and lose their authority among a marginalized majority. If the authorized narratives and materialities of heritage valorize a past under which the historical struggles of urban marginals are muted, then the current reuse and occupation of such sites reconstitute these deep histories of immigrant settlement and city-making writ large on the metropolitan landscape. Below I turn to the spectral yet evocative history of Jogeshwari Caves in suburban Mumbai to draw attention to the historicity of this site and its possibilities for further study.

Rock cut caves and itinerant histories

One need only turn to the Buddhist and Shaivite Caves of Jogeshwari, Mandepeshwar and Mahakali/Kondivite, or the Mahim and Riwa/Kala forts to catch a glimpse of how heritage preservation agitates certain historical wounds and blind spots across the social body of Mumbai. Both Mahim Fort (Figure 2) and Jogeshwari Caves (Figure 3), in particular, present compelling case studies related to the current discussion; however, present space constraints allow me only to elaborate on the latter. I argue that the roughly 1500-year duration of these rock cut Shiavite caves has anchored vital practices and social experiences of improvised and incremental settlement, labor, and appropriation that constitute a distinct history of migration and urbanization in the Mumbai region: these are the historical and sensible distributions of urban villagers, migrants, and the casual poor that are currently occluded by the material-monumental myopia of state heritage programs.

Although few specifics are known about the origins of the Jogeshwari Caves, their creation and use undoubtedly involved the movements and exchanges of various people, ideas, and skills. The structure dedicated to Shiva locates the earliest and one of the largest Hindu caves in India and likely dates to around

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Figure 2. Mahim Fort. (Left) Google Earth view of fort (outlined in blue). (Right) View of Fort from beach. Photo by Nicholas, available under a Creative Commons Attribution-Share Alike 3.0 Unported.

Figure 3. Jogeshwari Caves: (Left) Google Earth view of caves (outlined in blue) and surrounding settlement. (Right) Top View of Jogeshwari Caves from east. Photo by Vks0009, available under a Creative Commons Attribution-Noncommercial license.

520–525 CE, after Ajanta and before Elephanta.[8] Despite their associations with different religious traditions, these three cave complexes may have shared a particularly intimate history. Art historian Walter Spink (2013) argues that within the Deccan rock cut temple tradition, Jogeshwari is transitional, locating a ''missing link'' between the Buddhist and Hindu rock cut cave traditions of Ajanta and Elephanta, respectively. Specifically, he suggests that migrating artisans mediated this link; after the death of Ajanta's main patron, the Vakataka king Harisena, artisans displaced by feudal rivalries may have sought better patronage elsewhere, including in the west where the first great Hindu Shaiva temples were cut under the Kalacuri rulers. Spink also surmises a family connection linking Ajanta to Jogeshwari to Elephanta and uses the term ''post-Vakataka'' to describe this stylistic trajectory (2013: 102–105).

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Both Buddhist and Hindu rock cut structures provided temples and dwellings for traveling monks and wandering ascetics, and were built and sustained by a system of patronage that drew support ranging from farmers to kings and local merchants to travelers from the far East and West. The linkage between such religious centers and trade was therefore vital. Most caves were in close proximity to major ports, situated at frontiers between ruling dynasties (Ray, 1988: 7–8) and transitional topographic points. Their location at crucial points of entry and exit connecting the interior to the coast was a strategic move, as traders passing through these routes, fearing for the safe passage of their goods, pledged fabulous donations for cave building and sustenance for monasteries (Nayak, 2012). Sites flourished and languished at a tempo set by the health of trade networks, and when these networks shifted, rock cut temples and monasteries became inaccessible; abandoned by mainstream society, they were reclaimed by vegetation or reused by sadhus or renunciative hermits (Brancaccio, 2013: 13). The Jogeshwari Caves were thus part of a symbiotic religious and commercial infrastructure that provided the temporary settlement of monks, artisans, travelers, ascetics, and itinerants; they facilitated the exchange of goods, the migration of skills and ideas, and acted as a nucleus for social life, trade, and the dissemination of information. Ambulatory practices of traveling, temporary settlement, and religious pilgrimage were integrated into a dynamic mercantile nervous system; even after these cave sites fell out of the major trade circuits, these kinds of informal and peripatetic practices remained. The heritage of Jogeshwari Caves, then, is about much more than an isolated expression of transitional rock cut art and architecture; from its very beginnings, it was also entangled in regional histories, multiscalar economies, and proto-urban socialities. Many of these forms and practices still animate the urban experience today.

Before urban sprawl pushed Bombay's borders increasingly north and east, the Jogeshwari Caves, previously called "Ambola" or "Amboli" Cave after the nearby village, were part of a more pastoral landscape nestled with the "waving palm-covered uplands," rice fields, and Vehar hills (Campbell, 1882: 110). In 1784, the surgeon William Hunter described his visit to the "cave at Ambola" (1785: 295–299), noting a picturesque entrance formed by fallen banyan tree and numerous chambers with deities (quite likely Jogeshwari Devi, Ganapati, and Maruti) that were "still being worshiped" at the time. He also found the walls and sculptures in an advanced state of decay due to the effects of time on weak and crumbling stone. In 1806, William Salt would observe these very same features, adding:

> It appears to me that the very rapid decay which has taken place here, in comparison with other caves on the island, is occasioned by their being excavated beneath the level of the surrounding country, and not in the side of a hill as elsewhere. The tigers with which the island abounds resort to these desolate caverns in search of water; for we could plainly distinguish their footsteps crossing the avenues in different directions, and I was informed by some of the villagers that they take up their abode here altogether during the dry season. (1819: 44)

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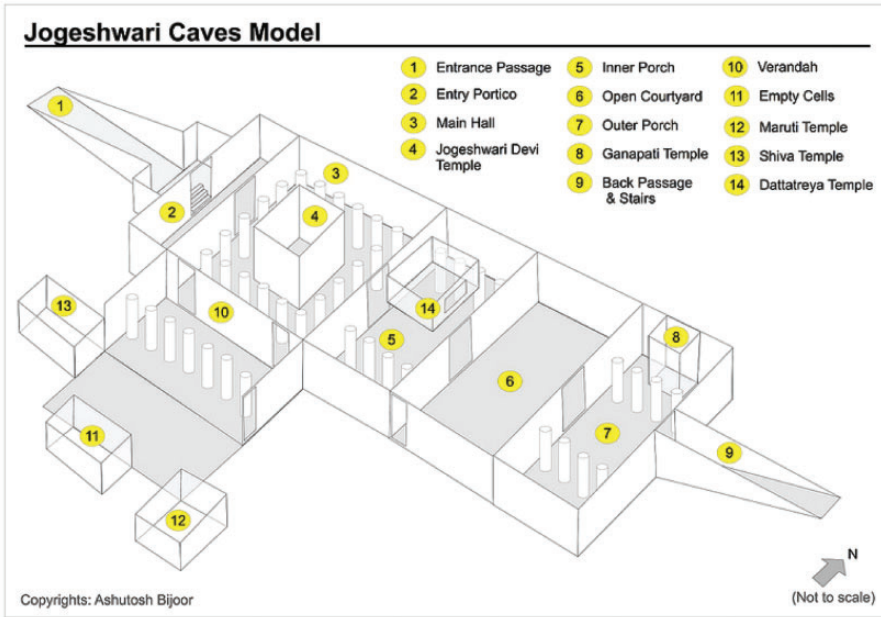

Figure 4. Model of Jogeshwari Caves. Model courtesy of Ashutosh Bijoor.

Around the turn of the 19th century, the caves were still surrounded by jungle and rice fields (Viscount Valentina, 1811: 141), yielding evidence of both human and animal occupation: the temple in the main hall had signs of activity and worship, as did other deities installed in smaller caves chambers (Figure 4: 4, 8, 12). These accounts by travelers reveal certain evocative threads that have become unraveled from standard art historical or archeological accounts of this site; these lost threads include geological and topographic histories of the greater Mumbai landscape, and the continuous and interwoven histories of use by humans and animals, sustained over centuries.

More than two centuries later, the landscape of the Jogeshwari Caves has become transformed into a densely populated neighborhood known as the Pratap Nagar Slum (Figure 3, left). Throughout this transformation, the caves maintained a distinctive history of adaptive reuse by wildlife, holy men, villagers, and shelter seekers. The active worship of a deity in the main shrine noted by Hunter, Valentina, Salt, and Campbell may very well have been the temple of the local Hindu deity Jogeshwari Mata that was set up in the very same space by the Pathare Prabhu community, and reportedly dates back 200 years (Dhailey, 2012). The cave also houses temples dedicated to Dattatray, Hanuman/Maruti, and Ganesh/Ganapati, the latter two of which may have been established before the 19th century (see earlier). Although these and other structural ''encroachments'' and associated activities are consistently cited as one of the primary factors contributing to the monument's

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decay and wretched state, other nonhuman factors and, ironically, conservation efforts have also contributed to its precarious state (Figure 5). Cut into a low hillock composed of extremely soft and friable volcanic breccia, the Jogeshwari Caves are quite vulnerable to moisture and soluble salt action, especially as they sit at a lower position with respect to their immediate surroundings (Nayak, 2012). Pre-19th century accounts describe the highly decayed state of the caves, so even before intensive human use and occupation became an acute force of deterioration, these caves had already been battered and worn due to natural forces of weather, erosion, and time. Wildlife also remains part of the caves' diverse ecosystem. While tigers—whose sightings were not uncommon up until the last few decades—were more of a hazard to humans than cave art, a large bat colony has since taken up residence in the caves, staining and disfiguring the cave surfaces with their excreta. But perhaps most incongruous to this habitat are additions from human efforts to restore the monument during the 1960s. Conservators embraced that era's enthusiasm for concrete and pursued an overzealous use of Portland concrete in repairs of the monument's columns, floors, door jambs, sculpture, pillars, overhangs, walls, and other areas (Nayak, 2012). Unfortunately, these actions did not take into account the corrosive actions of salts in the compound and the rapid deterioration of these interventions

Figure 5. View from inside Jogeshwari caves giving sense of the layered history of the caves, including the concrete conservation of the pillars, the decay and overgrowth of the stone, and the domestic structures surrounding the site. Photo courtesy of Ashutosh Bijoor.

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now requires their continual reinforcement with cement concrete (Nayak, 2012). Even though the preservation of volcanic rocks used for monuments or sculpture presents a long-standing problem in the conservation community (Grissom, 1994), reports and news articles articulate vandalism, trash dumping, and sewage seepage of encroachers as the main antagonists to this monument and its preservation.

If interests of material preservation remain paramount in heritage values, they are achieved at the expense of more vital (as in fundamentally concerned with or affecting life or living beings) urban processes and histories. For most of the 20th century, these vital urban processes seem to have prevailed. The British notified numerous ancient monuments, including the Jogeshwari Caves in 1904, under the Ancient Monuments and Sites Protection Act. Since that time, the caves have been under the purview of the ASI, founded in 1862, but their protection, care, and conservation has been minimal and sporadic. It was not until the 1958 Ancient Monuments and Archaeological Sites Remains Act (article 24) that the law required a 100–200 m restricted zone around monuments, cleared of any structures or activities likely to cause damage to the ancient site. And it would take nearly 50 more years and a Public Interest Litigation (PIL) suit for the ASI to be compelled to enforce this law and begin clearances of the inhabited monuments around Mumbai.

Given this laissez-faire attitude over the last century, it is no wonder that settlers have made homes and communities within the regulated zones[9] of various monuments and now staunchly contest demolition and relocation programs. In April 2005, a successful PIL suit filed by the NGO Janhit Manch forced the ASI to swiftly implement a protection and conservation plan for rock cut caves in the greater Mumbai region. The High Court appointed a six-member Committee on Caves, comprising the Director of the ASI, a heritage expert, an urban historian, government officials, and a lawyer (Bavadam, 2009). In 2006, the Bombay Municipal Corporation removed the structures directly on top of the caves, while the remaining houses in the 100 m regulated zone were earmarked for removal. In April of the same year, the cave committee began investigating the legal status of these remaining structures and found that many of them were more than 40 years old; a subsequent private survey commissioned by the ASI in 2008 documented 750 structures within this zone. Given the impossibility of enforcing the 100 m regulated zone around the monument, the ASI instead recommended clearing structures within 17–40 m of the monument (Janwalkar, 2008). However, now in early 2014, no removals have yet taken place. This stay of eviction is quite likely overdetermined, but rests on the basic reality that people will fight to stay where they are unless they are provided with a better situation (see Weinstein, 2014). For various well-documented reasons (Mukhija, 2003), residents—even those entitled to rehabilitation under the Maharashtra Slums Act—often resist and contest eviction.

What remains unexamined in this urban assemblage, however, is the historicity of the settlement, its dynamic, incremental development, and how this fraught act of ''remaining'' can actualize the transformation of a state of being ''temporary'' into one of ''established'' over the course of a few decades.

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The unplanned settlements around Jogeshwari were established by immigrant settlers, perhaps displaced by the partition, or impoverished by the lack of work and income in their villages. If its roots were cultivated in improvisation, labor, trauma, desperation, and aspiration, the neighborhood now exudes a distinct sense of order and space, care, community, and history. Nikhil Anand (2011) has observed that after some decades, residents in Mumbai's older settlements such as Jogeshwari no longer identify themselves as poor, which leads him to explore (through an illuminating account of water infrapolitics) how certain settlers establish themselves in the city. Fixing on a similar but more archeological focal point, I am interested in calling attention to the material–social processes of improvised, incremental occupation and development around the Jogeshwari Caves that have come to mediate the transformation of improvised housing into established urban residency. The historicity of such occupation or quiet encroachment has been a significant factor in compelling the state to recognize and grant rights to such home-grown settlements. Maharashtra slum legislation since the 1970s reveals that continuous occupation, whether authorized or not, can provide a pathway toward urban recognition and residency. However, these settlements and practices continue to be denied substantive historical attention (and thus the possibilities of recognition which lie therein), largely because they are framed and at times experienced as temporary or provisional, unable to make claims to a past or future. Urban heritage, in its current conception, reduces the history of Mumbai to colonial achievement, nostalgia, and elitist esthetics, rather than disclosing a unique process of urbanization made possible by complex and often antagonistic dynamics between homegrown and imposed practices, values, and structures of power.

Reconstituting the past: Toward an archeology of "quiet encroachment"

> *The significance and efficacy of such sites is not confined to their symbolic value, but rests in the manner in which they materialize and embody a set of disavowed pasts and marginalized histories: in other words, their significance rests precisely in their nature as sites on the landscape and material remains.*
>
> —Nick Shepherd, 2013: 241

Given that preservation and protection will likely remain the *sine qua non* of heritage practice, the work of exposing and attending to the "repressed and buried realities of fundamental histories" of class struggles (Jameson, 1981: 20) is left to community-led mobilizations of heritage and also, to my mind, the discipline of archeology. The Jogeshwari Caves settlement and others like it present a distinct challenge to doing heritage, history, and archeology as usual. Swept up in horizons of urbanization and migration, the histories and social valences of ancient and

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historic monuments take on new lives and dimensions. Urban caves and forts materialize not only their "significant" origins, but also cumulative histories of struggle and appropriation now indelibly inscribed as an historical urban landscape. The transformed materiality of these caves and forts—or what many negatively regard as the slumification of monuments by migrant interlopers—makes visible and visceral certain disavowed pasts and marginalized histories. Specifically, "quietly encroached" monuments embody a radical failure of state delivery as they lay bare the historical neglect of marginalized urban communities and their ongoing struggles for work, shelter, and security. Landscapes of such encroachment thus haunt and undermine official heritage narratives that valorize the monumental, the settled, and the elite. In this way, appropriations by the poor that assert the right to remain materialize a quasi-social movement, such that these resistances and resiliencies challenge an elite, primitivist ideology of rule that continues to be defended in liberal terms (Chandra, 2013: 162).

While heritage programs and practitioners in Mumbai support rehabilitation schemes to compensate and rehouse settlers around heritage sites and allow certain activities on sites that remain central to certain community and religious practices, this progressive attitude does not extend to historical register—that is, no *historical recognition* is given to these decade-old settlements as urban assemblages. While particular settler communities may or may not be concerned with such recognition, histories of the "settler city"—informal communities, migrant settlements, and gaothans (historical urban villages)—nevertheless constitute a significant historical urban landscape and thus a vital subject of urban studies and history. Heritage in Mumbai, as a relatively recent institution, remains beholden to protecting monumental materialities and state and national agendas rather than attending to the unique historicity of its monuments (e.g. caves and forts) and monumental urban forms (e.g. settler cities). Historical wounds born by urban marginals on behalf of the city thus remain to be agitated by heritage programs; even those which seek to deliver improvement and protection to negatively affected stakeholders still constitute a lingering ideology of primitivism and its civilizing project that "legitimates unjust and unnecessary forms of political domination" (Eagleton, 1991: 167).

Here, archeology in its capacity to deal with fragmented, incremental, and submerged material histories offers a possible avenue for historical redress. Like critical heritage studies, archeology, since its own critical turn in the 1980s, has turned its attention to the neglected subjects of traditional history, including modern ruins, refugee camps, and other ephemeral or neglected materialities (see Nakamura, 2014). Crucially, archeology's expertise in dealing with nondiscursive material traces and remains makes it uniquely equipped to deal with the incremental, unwritten histories of the dispossessed, the alienated, and the subaltern (Buchli and Lucas, 2002: 14). Building on the few notable studies of working class/migrant laborers and their communities (Adarkar and Menon, 2004; Chandravarkar, 1994; Echanove and Srivastava, 2012), an archeology of quiet encroachment would provide an historical perspective on incremental building practices of a settler community, thus lending insight into how settlers establish

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and become established in the city; it would do the double labor of raising the question of why certain places, material modes, and struggles have been written out of history, while at the same time redressing such omissions by inscribing them in the historical archive. The inclusion of provisional, ephemeral, incremental, and illicit assemblages in the archeological record opens up a number of possibilities, ranging from the historical recognition of certain under-historicized and ill-defined practices and groups (Weiss, 2014) to providing a new corpus of knowledge that can feed into more critical and inclusive constructions of heritage and public policy. Such a project thus seeks to shift the discourse on unauthorized forms of urban settlement, from one that dismisses them as ahistorical contingencies to one that contends with them as historical and generative formations in the first instance.

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Notes

1. Anand and Rademacher (2011: n. 2), use the terms ''settlement'' and ''settler'' to describe informal or improvised settlements and their residents to undermine the negative connotations of ''slum'' and ''slum dweller.'' These terms are used likewise here, also as an alternative term for ''encroacher.''
2. These in order are the Satvahanas, Abhiras, Vakatakas, Kalachuris, Konkan, Mauryas, Chalukas of Badami, and Rashtrakutas.
3. According to Narayan (2009), these were the Bhongle Bhandari, Palshe Joshi, Pathare Prabhu, Paanchakashe-Vaadval-Sutar castes.
4. On 20 February 1991, the Government of Maharashtra published in the gazette the draft of the Bombay Heritage Regulations in order to invite public comments; backing from section 46 of the MRTP Act, these regulations carried the force of law (Chainani, 2006). The regulations were made official in 1995, in the *Heritage Regulations for Greater Bombay, 1995*.
5. It should be noted that many afflicted groups welcome and even court such uplift interventions, as ideologies of participation and taking control of one's own future continue to thrive in communities that suffer most from state withdrawal. Even if such redistribution schemes often lead to failure or abuse, it is important not to minimize the significance of the legitimacy they can confer on those who appropriate it (Hilgers, 2012: 86).
6. Legal documentation consists of a photopass, which was issued to all slum dwellers on state lands after the 1976 census, or proof of documentation on a 1/1/1995 electoral roll. However, Prasad Shetty notes that various forms of record and testimony have been acknowledged by the government as proof of residence, including a ration card, electric bill, voter card, and even a letter delivered by the postal service or acknowledgements from neighbors (2007).

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7. Those who can prove continuous residency since before this date (which has shifted over the years, from 1980, 1985, 1990, 1995, and was just extended to 2000) are assured of rehabilitation and an apartment free of cost in the event that their homes are demolished or appropriated for "public interest" (Anand and Rademacher, 2011: 1759).
8. The dating of these caves are debated but are invariably dated to between the sixth and eight centuries AD. An inscription makes reference to the Maurya rulers of the eighth century (Burgess, 1880; Campbell, 1882). However, others have argued that this inscription is a later addition and date the origin of the caves to an earlier period based on stylistic similarities and technologies (Qureshi, 2010; Spink, 2013).
9. The 2010 Ancient Monuments and Archaeological Sites and Remains act (AMSAR) stipulates that all structures located within 100–200 m of a protected monument are illegal and can be subject to removal.

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